

HARVARD UNIVERSITY

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Executive Registry
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OFFICE OF THE PRESIDENT

MASSACHUSETTS HALL
CAMBRIDGE, MASSACHUSETTS 02138

December 5, 1977

Dear Admiral Turner:

Now that there have been discussions and correspondence between your representatives and mine concerning Harvard's guidelines on relationships between U.S. intelligence agencies and Harvard, it seems appropriate for me to write you directly to express my views and to invite your response.

The CIA's position, as I understand it, differs from ours on two significant issues: the operational use, including the gathering of intelligence on assignment, of faculty and staff members, and the use of faculty and staff members as covert recruiters on campus and practices associated with covert recruiting. The Harvard guidelines, in Sections C and D of the report that we issued, conclude that these two activities are inappropriate. The CIA has taken the position that these activities are a matter for decision on a case-by-case basis by the individual faculty or staff member and the CIA without the knowledge of the university and without regard to its rules. The rationale for the CIA's position appears to be that faculty and staff members can help the CIA perform its function in our society and that individuals at universities should be free to reach their own decisions on serving their country. (One aspect of the CIA's position is unclear. Mr. Lapham's letter of October 28th to Mr. Steiner states that the CIA should not "unilaterally deny any citizen...the opportunity to furnish information or services...." Does this mean that the CIA is precluded from directly or indirectly requesting or suggesting that a faculty or staff member serve the CIA and will consider the use of an individual for operational or covert recruiting purposes only if the initiative comes solely from the individual? We would appreciate clarification of this question by the CIA.)

I do not think that I need repeat the underlying rationale for Harvard's position on these two issues. The reasons are set forth in the two sections of our report. (A copy of Sections C and D is enclosed for your convenience.) But it might be helpful if I tried to address what I take to be the core of the CIA's position: that individual faculty and staff members, as citizens of the United States, should be free to serve the CIA and their country as they see fit.

I would not, of course, argue with the general proposition that citizens as a matter of individual choice can serve our country in a variety of ways, including the gathering of intelligence and other covert activities on behalf

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of the CIA. Citizens, however, are frequently subject to limitations on their right to engage in certain activities because of professional obligations they have voluntarily assumed or relationships they have voluntarily entered into. Let me illustrate this point with two examples. Citizens ordinarily have the right to comment freely to the press concerning litigation in progress. However, a lawyer representing a party in a case before the courts is expected to restrict his comments to the press. Citizens ordinarily have the right to act as undercover agents for the FBI. It is doubtful, however, that a staff member of the Select Committee on Intelligence of the U.S. Senate could serve covertly the FBI by reporting information and conversations to which he was privy because of his job. In the first example our society's interests in the fair administration of justice are deemed to justify a restriction on free speech. In the second our system of separation of powers and the obligations assumed to one's employer justify restricting a person's ability to serve his country by helping the FBI.

In our guidelines we do ask our faculty and staff members, because of professional obligations and their voluntary relationship with other members of the academic community, to forego rights that they would otherwise have as citizens. We made this request because we concluded that the practices in question are inconsistent with the nature of a university community and the obligations of a member of the academic profession. Covert recruiting by university personnel and its attendant practices bring a new and disturbing element into the relationships among members of the academic community, represent a serious intrusion of the government into our campus and classrooms, and violate the privacy of individuals within the community. The use of a professor for operational purposes while he is abroad for academic purposes, such as attending a conference in his field, is simply a use of the academic profession as a cover and consequently compromises the integrity of the profession and casts doubts on the true purposes of the activities of all academics.

As pointed out in the introduction to the discussion section of our report, we proceed with caution when considering guidelines that would restrict the activities of our faculty and staff members. We also are aware, as stated in the conclusion of the report, that restrictions may make it more difficult for the CIA to perform certain tasks it has been asked to do. We remain convinced, however, that the primary thrust of the guidelines is appropriate and serves the interests of our society. Although there is perhaps room for reasonable differences of opinion on some details, and your response may be helpful in this regard, we believe that the guidelines provide a sensible answer to the serious problems brought to our attention by the U.S. Senate Select Committee to Study Governmental Operations with respect to Intelligence Activities.

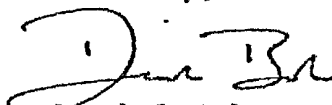
I might be more comfortable with the case-by-case approach, with the striking of individual bargains between a faculty or staff member and the CIA if the process and the resulting bargain were open and subject to scrutiny.

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Then members of the academic community and others could weigh the competing interests in each case and reach a decision. But the very nature of the activities in question--their covertness--precludes such a result, and the CIA and the individual, whatever his motivations for agreeing to serve the CIA may be, are the sole judges. The covertness also means that universities such as Harvard will have no way of knowing to what extent the integrity of the American academic community is being compromised. Only the CIA will have the complete picture on an on-going basis.

The matters at issue are, of course, important not only to Harvard but to other academic institutions. It is fair to say that the present position of the CIA appears to mean a continuation, at the discretion of the CIA and individuals, of the covert relationships that caused the most concern to the Select Committee in the April, 1976 report. For this reason I would welcome your personal consideration of the issues described above.

Sincerely,



Derek C. Bok

Admiral Stansfield Turner
The Director of Central Intelligence
Washington, D.C. 20505